

not taught or suggested by the Winkler patent. The conductive pad as disclosed and claimed by Applicant is novel and non-obvious in view of the copper ribbon of wire taught by the Winkler patent and, on this basis alone, is not anticipated by the Winkler patent. Regardless, the additional structure disclosed and claimed by Applicant is not taught or suggested by the Winkler patent. Particularly, the conductive pad as disclosed and claimed by Applicant lies substantially within the welding region and accordingly the band is welded to the conductive pad within the welding region. Conversely, the copper ribbon of wire taught by the Winkler patent is recessed within the groove within the insulator where the ribbon contacts the insulator and accordingly, may not be welded within this groove region. Nowhere does the Winkler patent teach or suggest a conductive pad lying substantially within the welding region and welded to the band within the welding region. Therefore, the Winkler patent does not teach every element as disclosed and claimed by Applicant and a rejection of Claims 1 to 8 as anticipated by the Winkler patent is inappropriate.

In Claims 9 to 17, Applicant discloses and claims an elongated conductive element having a proximal end connected to a conductor within a welding region and the elongated conductive element welded to a band to electrically connect the band to a conductor. Conversely, the copper ribbon of wire taught by the Winkler patent is welded to itself at a region where the ribbon overlaps the groove and conductor. Nowhere does the Winkler patent teach or suggest electrically connecting a proximal end of the copper ribbon wire to the conductor. Therefore, the Winkler patent does not teach every element as taught and claimed by Applicant and a rejection of Claims 9 to 17 as anticipated by the Winkler patent is inappropriate.

Accordingly, Applicant respectfully requests that the rejection of Claims 1 to 17 under 35 U.S.C. § 102(b) as anticipated by the Winkler patent be withdrawn.

The Examiner has rejected Claims 1 to 6 and 9 to 15 under 35 U.S.C. § 102(e) as anticipated by U.S. Pat. No. 6,324,415 by Spehr et al. (the Spehr et al. patent). Applicant respectfully traverses this rejection.

The Examiner contends that the Spehr et al. patent teaches a lead having a conductor, conductive pads and a ring electrode as claimed by Applicant. Applicant respectfully disagrees.

Regarding Claims 1 to 6, Applicant respectfully points out that Spehr et al. does not teach or suggest conductive pads as disclosed and claimed by Applicant. The Spehr et al. patent teaches securing the conductor directly to a band electrode. Particularly with regard to the function of the annular member 58, the Spehr et al. patent teaches that "the bare conductor element 27 is sandwiched between the exterior of the annular member 58 and the interior of the annular electrode 21." Col. 7, lines 52 to 54. The Spehr patent further teaches and suggest that "the annular members 56 and 58 could be eliminated and the electrode 21 secured to the sleeve 26 by interference." Col. 7, lines 62 to 63. Accordingly, the annular members of the Spehr et al. patent do not teach or suggest a conductive pad as taught and claimed by Applicant. Further, the annular members taught by the Spehr et al. patent are not positioned within a welding region as taught and claimed by Applicant. Therefore, the Spehr et al. patent does not teach or suggest Applicant's claimed invention and a rejection of Claims 1 to 6 as anticipated by the Spehr et al. patent is inappropriate.

Regarding Claims 9 to 15, Applicant respectfully points out that the Spehr et al. patent does not teach or suggest an elongated conductive element as disclosed and claimed by Applicant. Particularly, the Spehr et al. patent teaches annular members 56 and 58. An annular member as taught by the Spehr et al. patent does not have a proximal end to electrically connect it to a conductor as disclosed and claimed by Applicant. Therefore, the Spehr et al. patent does not teach or suggest Applicant's claimed invention and a rejection of Claims 9 to 15 as anticipated by the Spehr et al. patent is inappropriate.

Accordingly, Applicant respectfully requests that the rejection of Claims 1 to 6 and 9 to 15 under 35 U.S.C. § 102(e) as anticipated by the Spehr et al. patent be withdrawn.

The Examiner has rejected Claims 1 to 6 and 9 to 15 under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 4,381,014 by Sandstrom et al. (the Sandstrom et al. patent). Applicant respectfully traverses this rejection.

The Examiner contends that the Sandstrom et al. patent teaches a lead having a conductor, a ring electrode and a conductive pad as claimed by Applicant. Applicant respectfully disagrees.

Applicant respectfully points out that the Sandstrom et al. patent does not teach or suggest welding either a conductive pad or an elongated conductive element to a band as disclosed and claimed by Applicant. Therefore, the Sandstrom et al. patent does not teach or suggest Applicant's claimed invention and a rejection of Claims 1 to 6 and 9 to 15 as anticipated by the Spehr et al. patent is inappropriate.

Accordingly, Applicant respectfully requests that the rejection of Claims 1 to 6 and 9 to 15 under 35 U.S.C. § 102(b) as anticipated by the Sandstrom et al. patent be withdrawn.

The Examiner has rejected Claims 1 to 6 and 9 to 15 under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 4,280,511 by O'Neill (the O'Neill patent). Applicant respectfully traverses this rejection.

Applicant respectfully points out that the O'Neill patent does not teach or suggest welding either a conductive pad or an elongated conductive element to a band as disclosed and claimed by Applicant. Therefore, the O'Neill patent does not teach or suggest Applicant's claimed invention and a rejection of Claims 1 to 6 and 9 to 15 as anticipated by the O'Neill patent is inappropriate.

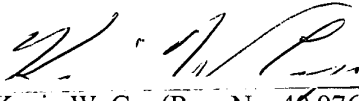
Accordingly, Applicant respectfully requests that the rejection of Claims 1 to 6 and 9 to 15 under 35 U.S.C. § 102(b) as anticipated by the O'Neill patent be withdrawn.

In view of Applicant's amendments and remarks, the claims are believed to be in condition for allowance. Reconsideration, withdrawal of the rejections, and passage of the case to issue is respectfully requested. If any fees not accounted for above are due in

connection with the filing of this paper, please charge the fees to our Deposit Account No. 02-3732.

Respectfully submitted,

Date: 12/5/2

By 
Kevin W. Cyr (Reg. No. 40,976)
Attorney for Applicant
BRIGGS & MORGAN, P.A.
2400 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
(612) 334-8522

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

13. (Amended) A medical lead, as in Claim 9, wherein the elongated conductive element is electrically connected to the conductor using a method selected from the group consisting of welding, crimping and conductive adhesives.